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APR 7 9 2004
Attorney Docket No. 36194/42366

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF FIRST CLASS MAILING

I certify that the documents referred to as enclosed herein are being deposited on April 26 2004, with the U.S. Postal Service as First Class Mail under 37 C.F.R. 1.8 and are addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Benjamin L. Volk, Jr. Reg. No. 48,017

In re application of:

Tully et al.

Serial No.: 10/692,067

Filed: October 22, 2003

For: System And Method For The Automated

Brokerage Of Financial Instruments

Examiner: Not Yet Assigned

Group Art Unit: 3628

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.10(c) TO CORRECT FILING DATE AND DATE IN DISCREPANCY

On April 19, 2004, Applicant received the Filing Receipt mailed April 15, 2004 (copy enclosed) for the above-identified patent application. This filing receipt listed the application's filing date as 10/23/2003. However, the proper filing date for this application is 10/22/2003, as will be explained below. In particular, Applicant notes that the "date-in" field on the Express Mail mailing label for this application identifies the filing date as 10/22/2003.

37 CFR 1.10(c) governs situations such as these. It reads as follows:

Any person filing correspondence under this section that was received by the Office and delivered by the "Express Mail Post Office to Addressee" service of the

USPS, who can show that there is a discrepancy between the filing date accorded by the Office to the correspondence and the date of deposit as shown by the "date-in" on the "Express Mail" mailing label or other official USPS notation, may petition the Commissioner to accord the correspondence a filing date as of the "date-in" on the "Express Mail" mailing label or other official USPS notation, provided that:

- (1) The petition is filed promptly after the person becomes aware that the Office has accorded, or will accord, a filing date other than the USPS deposit date;
- (2) The number of the "Express Mail" mailing label was placed on the paper(s) or fee(s) that constitute the correspondence prior to the original mailing by "Express Mail"; and
- (3) The petition includes a true copy of the "Express Mail" mailing label showing the "date-in", and of any other official notation by the USPS relied upon to show the date of deposit.

Pursuant to 37 CFR 1.10(c), Applicant hereby petitions to correct the filing date for this application to the date of October 22, 2003.

In support of 37 CFR 1.10(c)(1), the undersigned hereby notes that he first became aware of the USPTO's incorrect assignation of this application's filing date on April 22, 2004. He became aware of this error upon review of the filing receipt mailed by the USPTO on April 15, 2004 and received by the law firm office of the undersigned on April 19, 2004. Applicant respectfully submits that this petition has been submitted promptly after becoming aware of the USPTO's error.

In support of 37 CFR 1.10(c)(2), Applicant respectfully submits that the number of the "Express Mail" mailing label (EV328618216US) was placed on all of the papers that constitute the application filing on October 22, 2003. As evidence of this, enclosed with this petition are photocopies of the papers deposited with the USPS in Express Mail package EV328618216US. Applicant has highlighted the locations at which EV328618216US appears. Important among these papers is the first page of the application enclosed herewith that includes the Express Mail number EV328618216US. Also among these papers are copies of the originally-filed drawings, each with the Express Mail number EV328618216US included thereon. Other papers that include the Express Mail number EV328618216US are pages 1 and 2 of the "Utility Patent Application Transmittal", and page 1 of the Declaration.

In support of 37 CFR 1.10(c)(3), Applicant respectfully submits a true copy of the "Express Mail" mailing label for the above-identified patent application that shows the "date-

Attorney Docket No. 36194/42366

in" date of October 22, 2003. Applicant has highlighted the location on the Express Mail mailing label that shows this date-in date.

Therefore, having satisfied conditions (1)-(3) of 37 CFR 1.10(c), Applicant respectfully requests that the USPTO accord the above-identified patent application the correct filing date of October 22, 2003. Applicant believes there is no fee due for this filing. However, if a fee is due, the Commissioner for Patents is authorized to charge Deposit Account No. 20-0823. A duplicate copy of this Petition is enclosed for that purpose.

Respectfully submitted,

Benjamin L. Volk, Jr.

Reg. No. 48,017

Thompson Coburn LLP

One US Bank Plaza

St. Louis, Missouri 63101

(314) 552-6000

(314) 552-7000 (fax)



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APPL NO. 10/692,067

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10/22/2003

21888 THOMPSON COBURN, LLP ONE US BANK PLAZA SUITE 3500 ST LOUIS, MO 63101



CONFIRMATION NO. 7243
UPDATED FILING RECEIPT
OC000000012369964*

Date Mailed: 04/15/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply-to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael James Tully, Maryland Heights, MO; Virgil Michael Scott, Wildwood, MO; Dwayne Oliver Randle, Bridgeton, MO; Gregory Paul Lembree, O'Fallon, MO;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 04/14/2004

Projected Publication Date: 07/22/2004

Non-Publication Request: No

Early Publication Request: Yes

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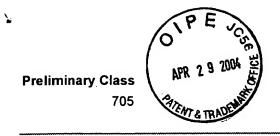
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Title

System and method for the automated brokerage of financial instruments

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INDEPENDENT CLAIMS (37 CFR 1.16(b))	11 minus 3 =	8	x	\$ =	0.00	OR	x \$86.00 =	688.00
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- The Commissioner is hereby authorized to charge and credit Deposit Account No. 20-0823 as described below. A duplicate copy of this sheet is enclosed.
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 - Charge any additional fee required.

B Z Doll.

Dated: October 22, 2003

Benjamin L. Volk, Jr., Reg. No. 48,017 Thompson Coburn LLP One US Bank Plaza, Suite 3500 St. Louis, Missouri 63101-9928 314-552-6000 FAX 314-552-7000

21888
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I certify that the document and fee is being deposited on October 22, 2003, with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No. EV328618216US

Signature of Person Mailing Correspondence

Benjamin L. Volk, Jr.

Typed or Printed Name of Person Mailing Correspondence

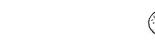
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Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Express Mail No. EV328618216US DECLARATION FOR UTILITY, DESIGN, DIVISIONAL AND Attorney Docket Number 35194/42366 CONTINUATION-IN-PART PATENT APPLICATIONS (37 CFR 1.63) First Named Inventor-Tully et al. Declaration Submitted with Initial Filing COMPLETE IF KNOWN Application Number Not Yet Assigned Supplemental Declaration Declaration Filing Date Herewith Submitted for Declaration Submitted for Submitted Continuation-In-Divisional Filing Group Art Unit Not Yet Assigned Part Filing **Examiner Name** Not Yet Assigned As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint Inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: System And Method For The Automated Brokerage Of Financial Instruments (Title of the Invention) the specification of which is attached hereto OR was filed on (MM/DD/YYYY) as United States Application Number or PCT International Application Number and was amended on (MM/DD/YYYY) (if applicable). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuationin-part applications, material information which became available between the filling date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed. **Prior Foreign Application** Country Foreign Filing Date **Priority Certified Copy Attached?** Number(s) (MM/DD/YYYY) Not Claimed YES Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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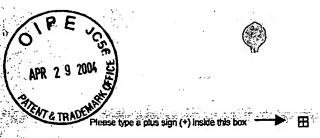




DECLARATION — Utility or Design Patent Application

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[Page 2 of 2]





PTO/SB/02A (11-00)

ADDITIONAL INVENTOR(S)

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DECLARATION			Supplemental Sheet
Name of Additional Joint Inventor,	If any:	A petition has been filed for th	nis unsigned inventor
Given Name (first and middle jif	any])	Family Na	ame or Surname
Dwayne Oliver	1	^	Randle
Inventor's Signature Will Olive	n Rand	b	Date 10/22/2003
Residence: City Bridgeton	State MO	Country USA	Citizenship United States
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Residence: City O'Fallon	State MO	Country USA	Citizenship United States
Mailing Address 759 Falcon Hill Trail			
Mailing Address City O'Fallon	State MO	ZIP 63366	Country USA
Name of Additional Joint Inventor,	if any:	A petition has been filed for t	his unsigned inventor
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PATENT EXPRESS MAIL NO. EV328618216US

SYSTEM AND METHOD FOR THE AUTOMATED BROKERAGE OF FINANCIAL INSTRUMENTS

Field of the Invention:

The present invention relates to an automated electronic system for processing orders from investors for transactions of financial instruments and supplying financial account information to investors.

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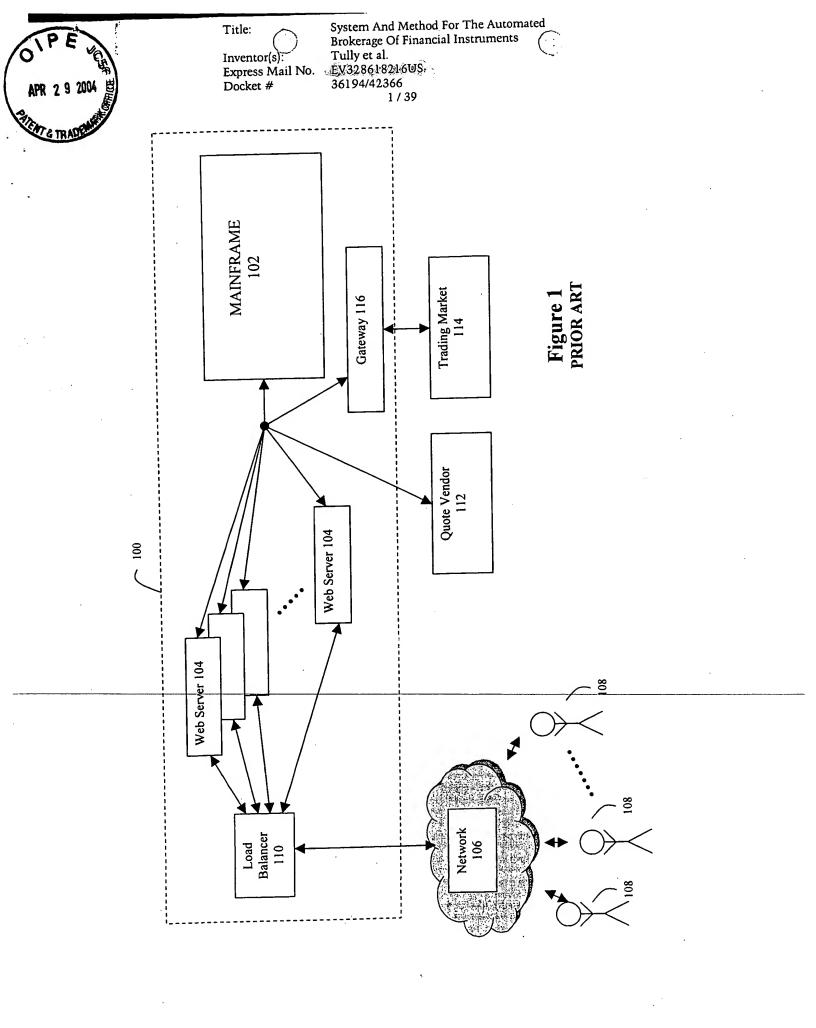
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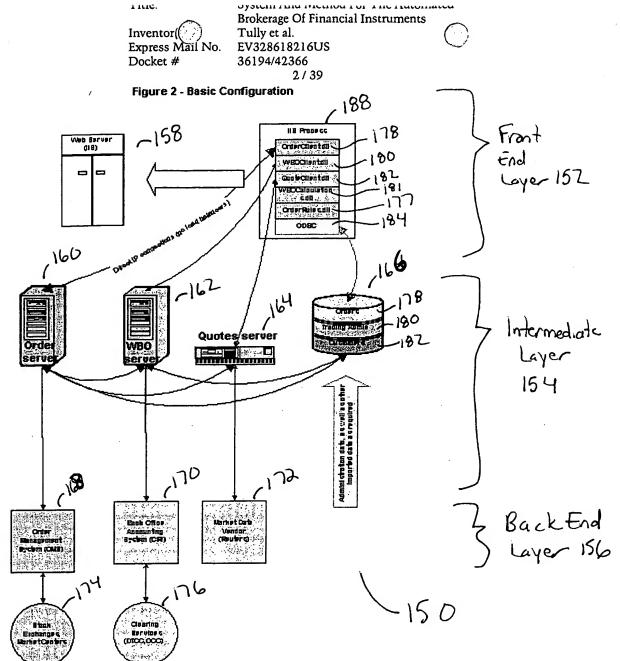
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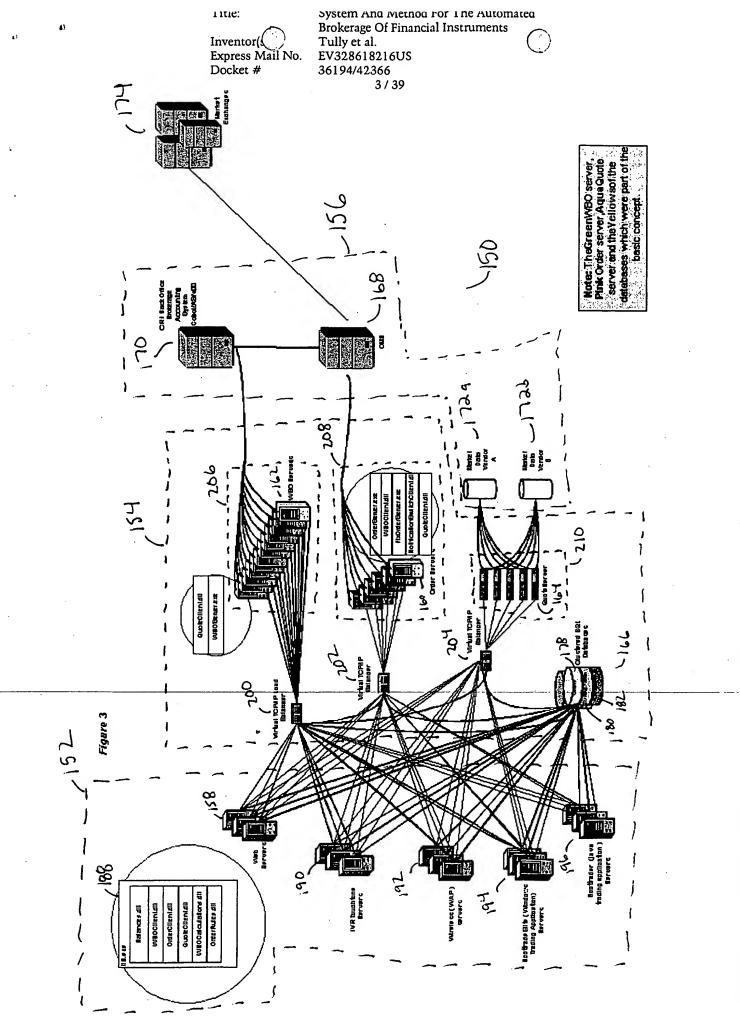
Background and Summary of the Invention:

In the present day, investors are discovering that computers and, in particular, computer networks such as the Internet, are a particularly useful tool for managing and tracking their financial investment portfolio. Whether it is an individual investor seeking to occasionally buy or sell stocks, bonds, or other financial instruments; a day trader conducting numerous such transactions each day; or a professional investor such as a licensed broker who manages the financial portfolios of numerous clients; access via a computer network to financial markets to conduct these transactions is now and increasingly more so in the future an important channel for execution of this business.

Thus, a need in the art has developed for an infrastructure that both supports access to the financial markets and provides fast







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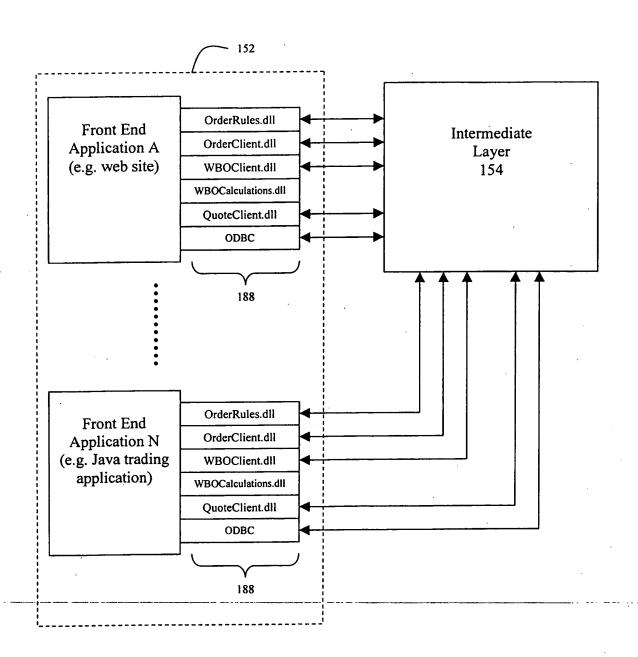


Figure 4

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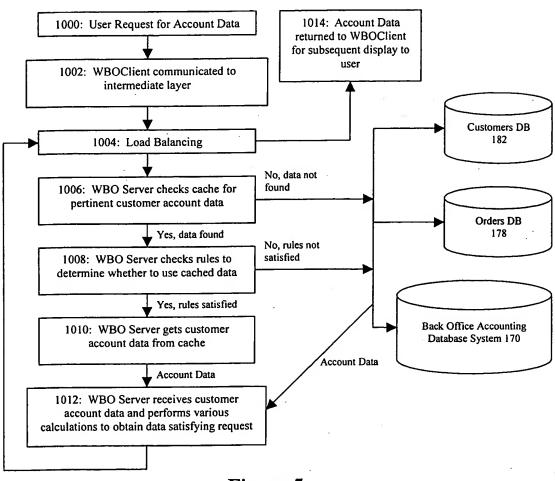
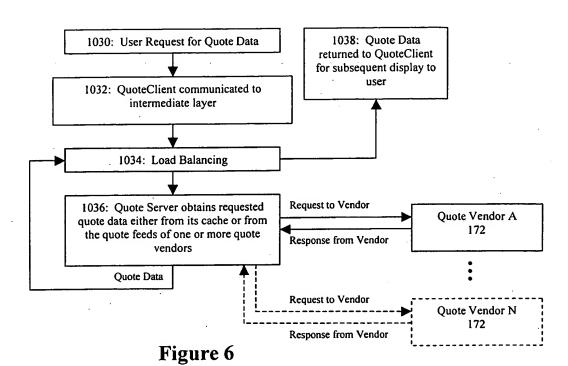
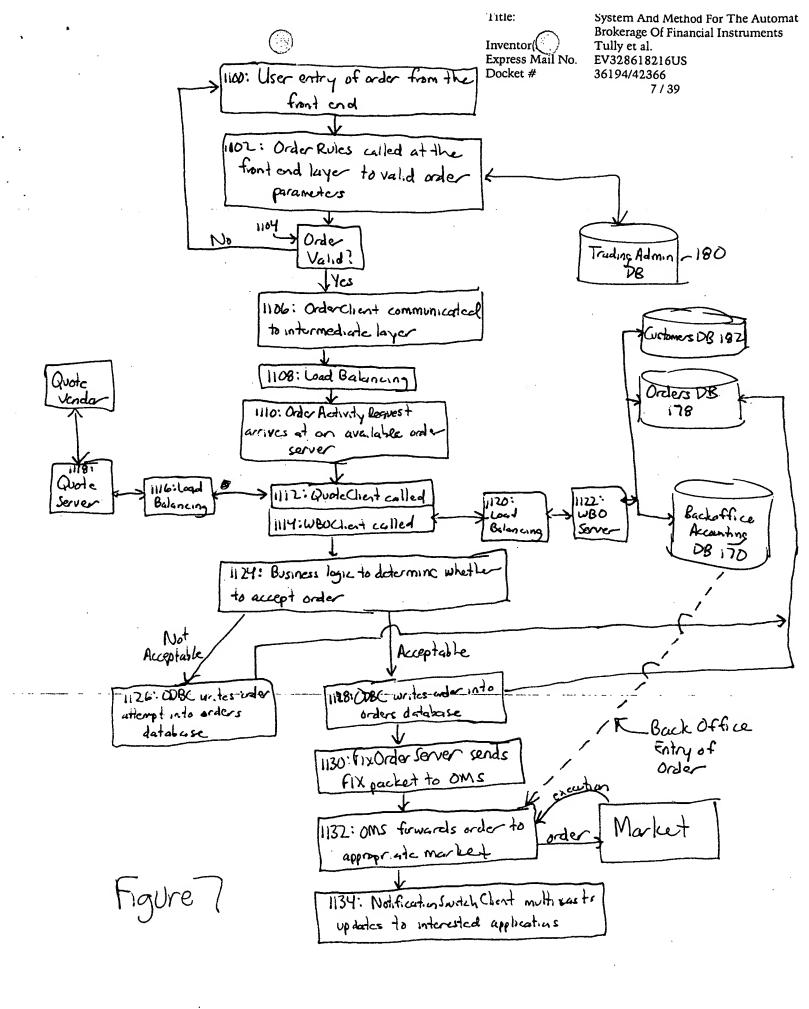


Figure 5

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System And Method For The Automated Brokerage Of Financial Instruments Tully et al. EV328618216US 36194/42366 6/39





Inventor(s): Express Mail No. Docket #

figure 8(a)

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Brokerage Of Financial Instruments et al. Ev-28618216US 36194/42366 9/39

Web Cutor Figure 8(6)

\$ 304.82 Help

Current Net Balance

Portfolio Value as of Previous Close \$ 163.08

Value

Description

October 13, 2003

Account # 78451712

Current Trade Balances

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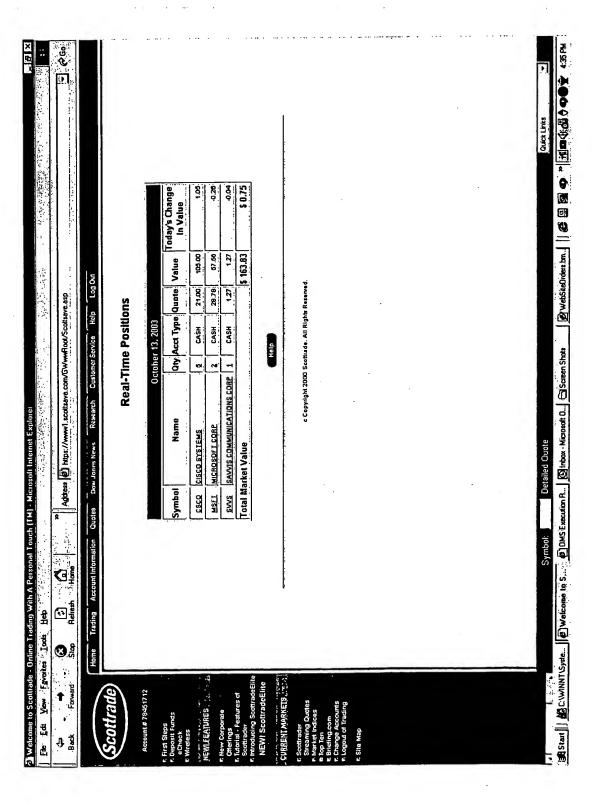
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Brokerage Of Financial Instruments
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Any order entered after market close is good for the next business day. Your order has been entered subject to broker approval. Your reference number is: XXB328920031013 c Copyright 2000 Scottrade. All Rights Reserved. At the Market Day Order 78451712 87.00 Estimated Commission: Account Number: Account Type: Time in Force: Market Side: Quantity: Symbol: Price: I Welcome to Scottade - Online Trading With A Personal Touch (TM) - Microsoft Internet Explo

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Figure 9(a)



Figure 9 (e)

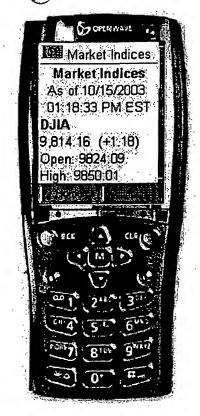


Figure 9 (6)



Figure 9 (c)

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Figure 9 (d)



Figure 9 (g)



Figure 9(f)



Figure 9(h)

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Figure 9(i)



Figure 9(K)



Figure 9(j)



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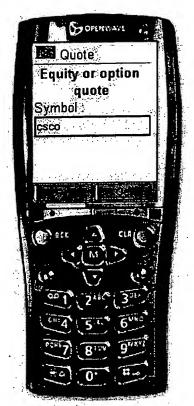


Figure 9(m)



Figure 9(n)

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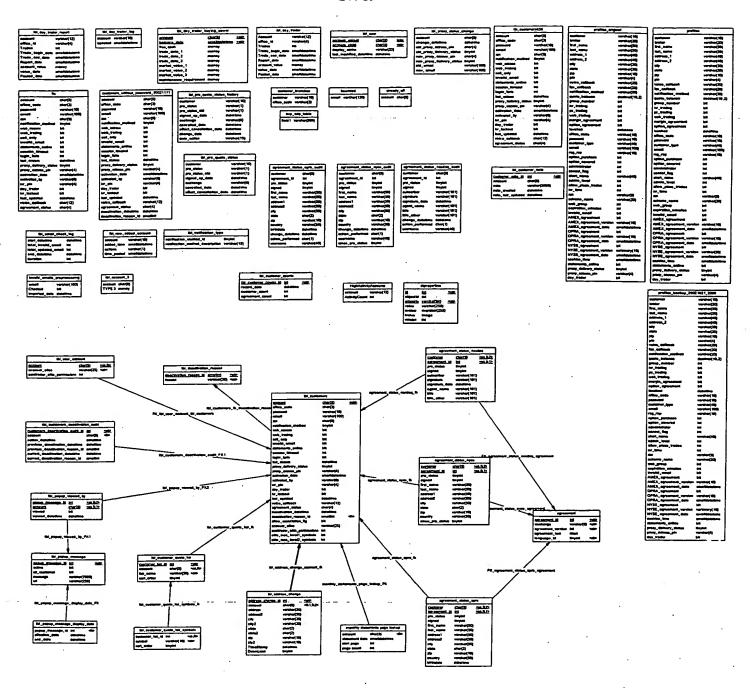
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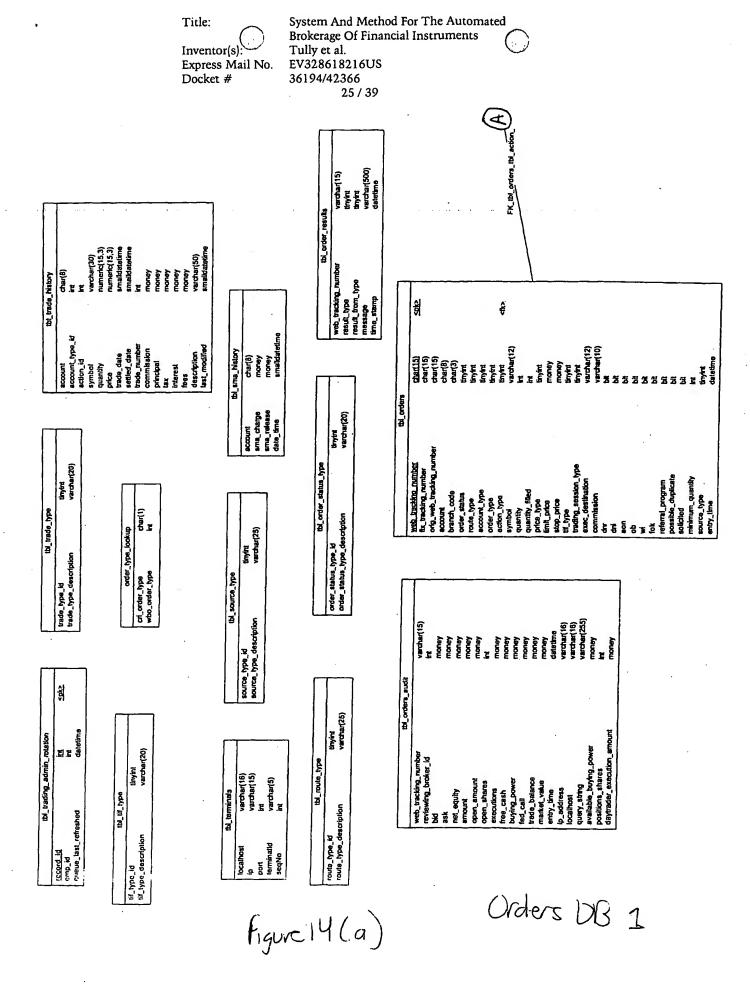
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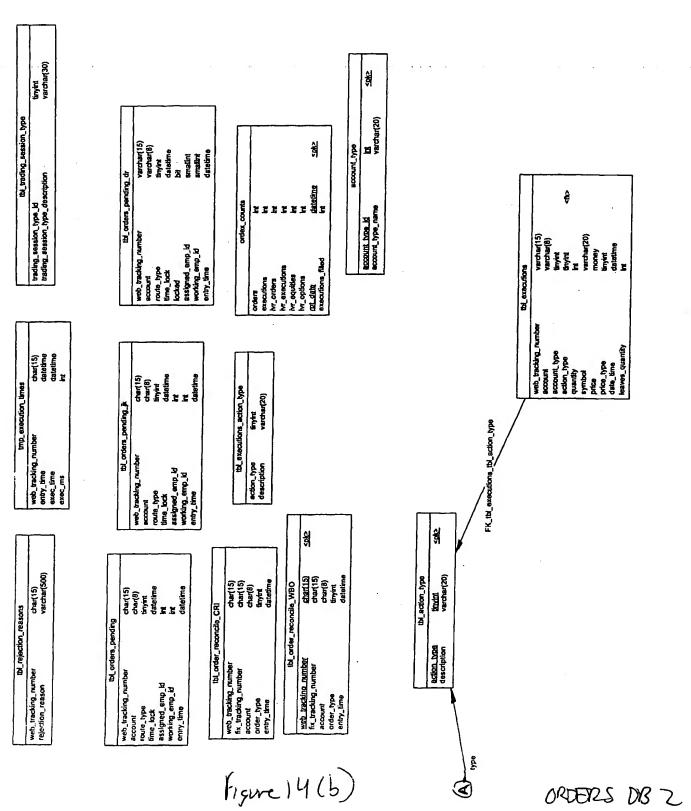


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System And Method For The Automated Brokerage Of Financial Instruments

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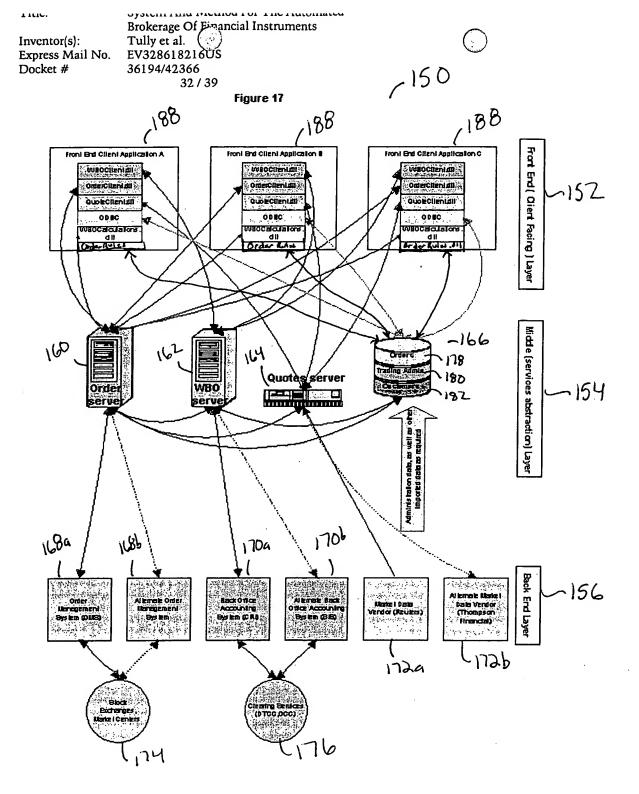
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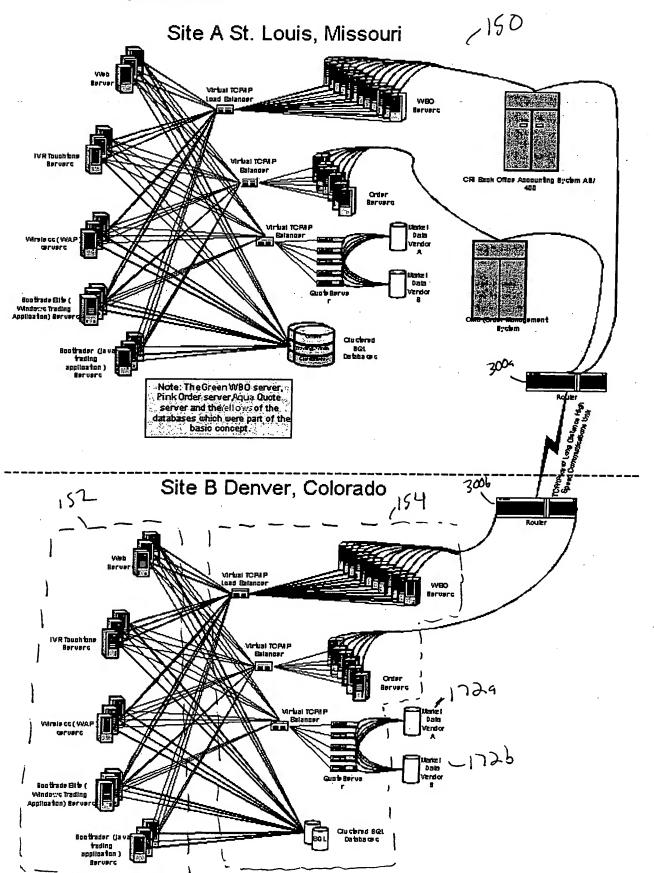
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Figure 18 - Multi Site DR



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Quote Server	
etup: View Dump Outstanding Reque	BU CANALIST AND THE LOSS AND THE
	元初年,中华山阳《公司公孙王 年》
Sources	Stream Connections
Quote Source: AVFICE 14	Connections: 0
Level 2 Source None	Updates P/S 0.00
Fundamentals Source - ATFI	Symbols: 5, 0;
News Source:	
History Source: ATFI	Threads
	Request Handler Idle Time: 100%
Cache	Update Handler Idle Time: 34%
Cache Size: 0	Stream Hander, Idle Time 23 &
Historical Cache Size: 0	
Cache Hitson 10 20 20 20 20 20 20 20 20 20 20 20 20 20	History Updater Idle Time: 100 2
Historical Cache Hits: 0%	ATFI Request Handler Idle: 100%
	SEI/O
Updales	Incoming Bytes' 12 - 00 kb 12 - 44
Tick: 163266	Outgoing Bytes: 0.0 kb
Quote: 1200179	Average Response Size: 56 bytes
Movers: # 1580 \	Average Time: Patrick Oms.
Level 2 01 11	Server
Refresh 24256	CPU 22%
News Static 540654	Available Memory: 84 mb
Options: 816789	
Index 30175	Connections: 10
Mutual Fund: 0	Outstanding Requests: 0 Total Requests: 507
Money Market: 0	Historical Requests: 0
Fixed income: 0	Round Trips:
Bends: 84	Requests Per Second: 0.00
1580 ;	
	Urhandled Updates
Updates Per Second: 4070.00	Cache Updates 115
	Stream Updates: 31
	Historic Updates: 0

Figure 19(a)

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Configure		
Quote Source ATFI	Restart Cache Cache	Movers
ATFI Level2 Source: Bridge	Restart	
Fundamentals Source: ATFI	Flestati	
The state of the s		
News Source: None	Flootant	
History Source: ATFI	E Restan	
Request Handle: Threads:		
Update Handler Threads. 20		
Stream Update Threads: 20		
History Update Threads: 10		
Security Cache Expiration: 3600	Option Chain Expiration: 3600	
	Company Data Expiration 1800	
Movers Cache Expration 30	CURIDER DORGE ALEGRAL	=83
ATFI	Apply MDS Connections: 1	
	+ DBM Connections 11	
Request Handler Threads: 12	Upw.comectors.j	
		erronte. Ferrota
Server Async	Stop: Restart	-4-94 c *
Max Connections: 100	Drop All	
The Company of the Co		
Reuters Additional Control of the Co	The state of the s	
in in the second	OK Cance	
	TO SEE SEED LESS OF VIOLENCE OF	217

Figure 19(6)

Socket Server Max Connections

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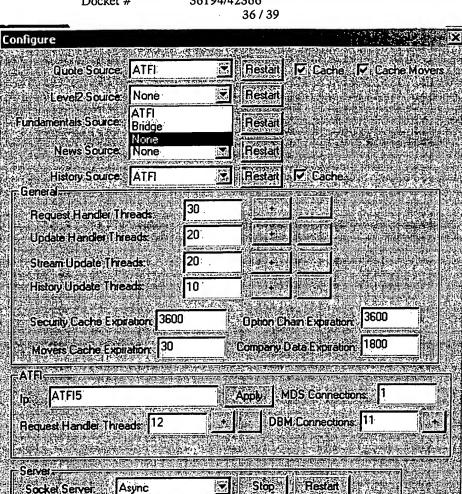


Figure 19(c)

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Configure		×
Quote Source: ATFI	Restart	1overs
Level2:Source: None	Restart	
Fundamentals Source: ATFI	Restart	
News Source: Bridge	Restart	
History Source None	Restart	
General 30		
Request Handler Threads 20 Update Handler Threads 20		
Stream Update Threads: 20		
History Update Threads 10		
"Security Cache Expiration: 3600	Option Chain Expiration 3600	- -
Moves Cache Expration 30	See the letter of the participate of the participat	
ATEL		
ig ATF15	Appli MDS Connections: 1	
Request Handler Threads: 12	DBM Connections: 11	
Servetor Async	Stop- Restart	
Socket Server Async Max: Connections: 100	Drop All	
		Marie I
Reuters		
P	OK Cancel	
		2.5741.00.00

Figure 19(d)

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onfigure	
Quote Source ATFI	Restart Cache Cache Movers
Level2 Source: None	Resiant .
Fundamentals Source ATFI	Restart 1
All the party of the second	
News Source: None	Restart
History Source: Silice	Restart V Cache
General None 30	
Hequest Handler I ricedus	
opposit (i.e. sales)	MACA LAND
Stream Update Threads: 20	
History Update:Threads: 10	
3600	Option Chain Expiration: 3600
Security Cache Expiration: 3600	
Movers Cache Expiration: 30	Company Data Expiration 1800
ATF	
Ipc ATFI5	Apply MDS Connections 1
Request Handler, Threads: 12	DBM Cornections: 11
	charteness that the secretary and a part
Server Async	Stop Restart
ALTO VALUE OF THE PROPERTY OF	Drop All
Max Connections 100	
Reulers	
f (p)	
	OK Cancel

Figure 19 (e)

System And Method For The Automated Brokerage Of Financial Instruments

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Configure	X
Quote Source: ATFI	Restart 🔽 Cache 🔽 Cache Movers
Level2 Source: None	▼ Restart
Fundamentals Source: ATFI	Restart 6
News Source None	Restart X
History Source ATFI	Réstart 🔽 Cache
General Request Handler Thi None	
Update Handler Threads: 20	
Stream Update Threads: 20 History Update Threads: 10	
	[]
Security Cache Expiration: 3600	Option Chain Expiration: 3600
Movers Cache Expiration: 30	Company Data Expitation: 1800
AIR	Apply MDS Connections: 1
jp. ATFI5	DBM Connections: 1.1
Request Handler Threads: 12	
Server	The state of the s
Socket Server Async	Stop Restart
Max Connections: 100	Drop All
Reuters	
P	OK Cancel

Figure 19(f)